

ROBERT E. LATTA  
5TH DISTRICT, OHIO

ASSISTANT MAJORITY WHIP

CO-CHAIRMAN  
CONGRESSIONAL SPORTSMEN'S CAUCUS

COMMITTEE ON  
ENERGY AND COMMERCE

SUBCOMMITTEE ON  
COMMUNICATIONS AND TECHNOLOGY  
VICE CHAIRMAN

SUBCOMMITTEE ON  
ENERGY AND POWER

SUBCOMMITTEE ON  
ENVIRONMENT AND THE ECONOMY

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3505**

September 18, 2014

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1004

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20536

Dear Chairman Wheeler:

Phase II of the Connect America Fund ("CAF II") offers an opportunity to bring speedier, fiber-fed broadband connections to millions of Americans in rural areas served by the larger "price cap" carriers. Indeed, the FCC's June 10 Further Notice of Proposed Rulemaking (FNPRM) has raised hopes by more than doubling the promised download speeds in the 2011 USF/ICC Transformation Order, from 4 Mbps to 10 Mbps. And because CAF II represents the final phase of Universal Service reform, its rule will effectively determine, for years to come, how broadband support is distributed in these areas.

We are writing today to emphasize how important it is to ensure that the final details of CAF II live up to its promise. We are concerned that if the Commission more than doubles the speed requirements without allowing the appropriate level of flexibility in other elements of CAF II, the program's overall mission could be endangered.

To the Commission's credit, its FNPRM identifies a number of constructive ideas that could help achieve the speedier network goals without exceeding the CAF II annual budget. These include extending the term of support up to ten years and providing flexibility on the build-out parameters. We hope you will take these ideas to heart.

Thank you for considering our concerns, and we look forward to working with you.

Sincerely,




Robert E. Latta  
Member of Congress



Bill Johnson  
Member of Congress



David P. Joyce  
Member of Congress



Bob B. Gibbs  
Member of Congress



Patrick J. Tiberi  
Member of Congress



Jim B. Renacci  
Member of Congress



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 20, 2014

The Honorable Bob Latta  
U.S. House of Representatives  
2448 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Latta:

Thank you for your letter regarding the implementation of certain aspects of Phase II of the Connect America Fund (Connect America Phase II). In your letter, you express concerns that the overall mission of the CAF II program could be endangered if the Commission increases the current broadband speed benchmark for program recipients to 10 Mbps downstream /1 Mbps upstream without allowing flexibility in other elements of program, particularly with respect to the length of the term of support. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

The universal service program is one of the most important tools at our disposal to ensure that consumers and businesses in rural America have the same opportunities as their urban and suburban counterparts to be active participants in the United States of the 21<sup>st</sup> century. We are focused on updating the universal service high-cost program to ensure that we are delivering the best possible voice and broadband experiences to rural areas of states within the confines of our Connect America budget, while providing increased certainty and predictability for all carriers and a climate for increased broadband expansion.

In April, the Commission adopted a *Connect America Fund Phase II Report and Order* to move forward with Connect America for price-cap carriers. In addition, in an associated *Further Notice of Proposed Rulemaking (FNPRM)*, the Commission sought comment on a number of the issues you raise, including revising the current broadband performance obligations to require minimum speeds of 10 Mbps downstream and applying the same performance obligations to all recipients of Phase II support and to rate-of-return carriers. As you noted, the *FNPRM* also seeks comment on a proposal to allow Connect America Phase II recipients more flexibility in meeting their performance obligations, including whether we should extend the term of support to longer than five years. Many price cap carriers have argued that building networks capable of providing 10 Mbps will take more time and more funding than meeting the current 4/1 Mbps speed requirement because it will require extending fiber farther into the network and deploying additional equipment. Other commenters argue that extending the Phase II term of support beyond five years will delay a competitive bidding process for the areas served by price cap carriers. The Commission's staff is reviewing the record and giving all the arguments due consideration before we move forward with any decisions.

Page 2—The Honorable Bob Latta

I welcome a dialogue with stakeholders as to how best to accomplish our shared objectives. I look forward to working with you as we continue reforming and modernizing the universal service fund high-cost program – as well as other components of the Universal Service Fund – to ensure that all Americans have access to robust voice and broadband services.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler





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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 20, 2014

The Honorable Bob Gibbs  
U.S. House of Representatives  
329 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Gibbs:

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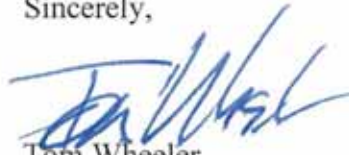
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Tom Wheeler



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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 20, 2014

The Honorable Bill Johnson  
U.S. House of Representatives  
1710 Longworth House Office Building  
Washington, D.C. 20515

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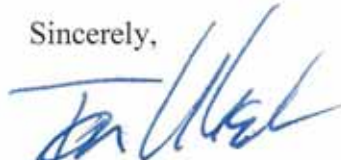
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I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a stylized, flowing script.

Tom Wheeler





OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 20, 2014

The Honorable David Joyce  
U.S. House of Representatives  
1535 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Joyce:

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Sincerely,



Tom Wheeler



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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 20, 2014

The Honorable James Renacci  
U.S. House of Representatives  
130 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Renacci:

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Tom Wheeler





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WASHINGTON

October 20, 2014

The Honorable Pat Tiberi  
U.S. House of Representatives  
106 Cannon House Office Building  
Washington, D.C. 20515

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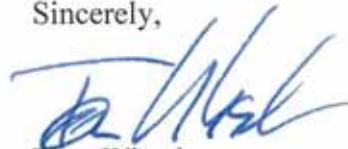
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